

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

FILED

SEP - 7 2007

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

JUAN DAVILA-BAJANA, :
PLAINTIFF, :
 :
-VS- :
 :
HOLOHAN, ET AL. : CIVIL ACTION NO. 1:04-cv-253
DEFENDANT. : JUDGE: SEAN MCLUAGHLIN
 : MAGISTRATE: SUSAN BAXTER
 :

CONSOLIDATED MOTION FOR, AND BRIEF IN SUPPORT OF:
ENLARGEMENT OF TIME TO FILE OBJECTIONS TO
MAGISTRATE BAXTER'S REPORT AND RECOMMENDATION OF 08/28/07

NOW COMES Juan Davila-Bajana, Pro Se (Plaintiff); and hereby respectfully submit his Motion for Enlargement Time to file his Objections to the Magistrate Judge's Report and REcommendation of 08/28/07.

This Court has authority to enlarge the time to file any period of time that is set forth by rule or order of the Court. See: Federal Rules of Civil Procedure, Rule 6(b).

At this juncture Plaintiff will not belabor the Court with an extended argument for the propriety of his being afforded more than the normal ten (10) days to file his Objections. This is so as the Court is well aware that Plaintiff is a pro se indigent inmate litigant and therefore requires more time to research and compile his pleadings.

And notwithstanding that, Plaintiff has more than one action

pending in court and is litigating them himself pro se. So it is taking a great deal of time finish the Objections as he presently has two Report and REcommendations to file Objections to in two different case.


Plaintiff deems that an extension of fourteen days will suffice for him to complete his research and prepare his Objections for the Court. (Presently due on 09/11/07.)

WHEREFORE PLAINTIFF PRAYS, that this Honorable Court will Grant him an Enlargement of Time to file his Objects for fourteen (14) days, to and including 09/25/07.

DECLARATION AND CERTIFICATE OF SERVICE

I, Juan Davila-Bajana, hereby declare and affirm under the penalty of perjury pursuant to 28 USCS § 1746(2), that the foregoing pleading is true and correct to the best of my knowledge and recollection; and that I served true and correct Originals of the foregoing pleading and accompanying Declaration, by first-class postage prepaid surrender to the prison officials, this 9th day of September, 2007, to:

1. Paul D. Kovac
Asst. U.S. Attorney
Western District of PA
700 Grant Street, Suite 4000
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